

To: John, Steven[John.Steven@epa.gov]; Strauss, Alexis[Strauss.Alexis@epa.gov]
From: Miller, Amy
Sent: Mon 4/7/2014 8:44:16 PM
Subject: RE: Exide
Enforcement and Compliance Options Related to EXIDE Vernon facility eja.doc

I have cut and paste for blackberry use (See Below)

Jared said we would make EPA (you) more present as we monitor the situation.

Enforcement and Compliance Activities Related to EXIDE Vernon facility

Summary

- California's Department of Toxic Substances Control (DTSC) and South Coast Air Quality Management District (SCAQMD) are aggressively pursuing all state and local enforcement options to limit or reduce harmful emissions at EXIDE.
- We're working closely with each agency to ensure all federally-enforceable rules and requirements are met.
- Recent ambient monitoring for lead values at the EXIDE facility were **not exceedances** of the federal National Ambient Air Quality Standards (NAAQS). Rather, EXIDE exceeded a level set in SCAQMD's Rule 1420.1, which required that they implement additional control measures.
- A current Region 9 residential lead and arsenic cleanup in Eureka, NV is addressing homes with levels exceeding **3000 ppm lead and 600 ppm arsenic**. Some homes have levels that are 10 times higher and young children with blood lead levels exceeding 5 ug/dl.
- The 39 homes and two schools near EXIDE that were tested had amounts of lead that **exceeded 80 ppm**.
- SCAQMD's health risk assessment, issued in the spring of 2013, was for **arsenic** emissions, not lead.

SCAQMD Actions:

- In January 2014, SCAQMD amended existing Rule 1420.1 (which already

imposes strict controls for lead emissions) to require EXIDE and Quemetco to meet strict emission limits for arsenic, benzene and 1,3-butadiene.

- SCAQMD has pursued several enforcement actions against EXIDE, including an October 2013 Order of Abatement which would require EXIDE to shutter its facility until appropriate emission controls are in place.
- A final decision by the SCAQMD Hearing Board on the Order of Abatement is expected in May 2014.

DTSC Actions:

- In December 2013, DTSC ordered EXIDE to perform emergency response measures to clean up off-site contaminated soil, dust, and sediment.
- DTSC issued an Order of Temporary Suspension at the EXIDE facility in April 2013.
- On Nov. 4, 2013, a bankruptcy judge approved Exide Technologies Inc.'s motion to enter into a Stipulation and Order with DTSC's activities that requires EXIDE to identify potential impacts of the facility on the surrounding community and create enforceable timelines.

Recommendation:

- Region 9 should continue tracking state and local compliance and enforcement activities in our state oversight role.
 - Region 9 can provide technical support on sampling plan design and risk communication.

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From: John, Steven
Sent: Monday, April 07, 2014 1:04 PM
To: Strauss, Alexis
Cc: Miller, Amy
Subject: Re: Exide

Will do. I'll call Maurice tomorrow. Exide has been a key topic here today and I've already had a number of conversations with community members about EPA's role and engagement. Monsignor John Moretta from Resurrection Church in Boyle Heights spoke earlier at the symposium and mentioned their involvement in Exide. I'll speak to him during the break (if he hasn't already left or get in contact with him tomorrow if has).

Amy - any updates you have that would be helpful in these conversations are welcomed.

sj

From: Strauss, Alexis
Sent: Monday, April 7, 2014 12:07:35 PM
To: John, Steven
Cc: Miller, Amy
Subject: Exide

Steven,

I know you're in meetings away from the office today, but on Jared's behalf, am asking you to engage with regard to the Exide site. I believe Sen. Boxer's staff has conveyed recent concerns, and Jared asks that you please call Maurice and the local pastor to discuss. If these names are unfamiliar or their contact info may be needed, let me know and I'll go in search. Amy, could you please send us whatever written update you have recently prepared re Exide?

Thanks, Alexis

Alexis Strauss

Deputy Regional Administrator

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